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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR       | ATTORNEY DOCKET NO.    | CONFIRMATION NO. |
|-----------------|-------------|----------------------------|------------------------|------------------|
| 10/620,166      | 07/15/2003  | Christopher Douglas Mowery | KCC 4965 (K-C 18, 772) | 9504             |

321 7590 10/06/2005

SENNIGER POWERS LEAVITT AND ROEDEL  
ONE METROPOLITAN SQUARE  
16TH FLOOR  
ST LOUIS, MO 63102

EXAMINER

EDWARDS, LAURA ESTELLE

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

1734

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/620,166

Applicant(s)

MOWERY ET AL.

Examiner

Laura Edwards

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-8 and 13-23 is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Rochmann (EP 0719591).

Rochmann teaches an apparatus for depositing a pattern of fluid material onto a substrate moving in a machine direction, said apparatus comprising: at least first and second nozzle units substantially aligned in a direction of alignment; a delivery system for delivering said material to said nozzle units, said delivery system comprising a manifold having first and second supply ports located one above the other for supply of material to the nozzle units, and a transfer plate disposed between the manifold and the nozzle units, said nozzle units being secured to said transfer plate, supply passaging in the transfer plate for the delivery of material from the manifold supply ports to nozzle units, said supply passaging comprising a first elongate supply channel in a first face of the transfer plate in fluid communication with said first supply port in the manifold, and a second elongate supply channel in said first face of the transfer plate in fluid communication with said second supply port in the manifold, said first and second supply channels extending in said direction of alignment and being located one above the other in stacked relation; and a mounting system for mounting said transfer plate on the manifold, said mounting system allowing adjustment of the position of the transfer plate and nozzle units thereon relative to the manifold in said direction of alignment, said manifold supply ports

Art Unit: 1734

remaining in fluid communication with respective supply channels during said adjustment (see col. 4, lines 35 to col. 7, lines 1-10).

Claims 1-5 and 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Ziecker et al (US 5,265,800).

Ziecker et al teach an apparatus for depositing a pattern of fluid material onto a substrate moving in a machine direction, said apparatus comprising: at least first and second nozzle units substantially aligned in a direction of alignment; a delivery system for delivering said material to said nozzle units, said delivery system comprising a manifold having first and second supply ports located one above the other for supply of material to the nozzle units, and a transfer plate disposed between the manifold and the nozzle units, said nozzle units being secured to said transfer plate, supply passaging in the transfer plate for the delivery of material from the manifold supply ports to nozzle units, said supply passaging comprising a first elongate supply channel in a first face of the transfer plate in fluid communication with said first supply port in the manifold, and a second elongate supply channel in said first face of the transfer plate in fluid communication with said second supply port in the manifold, said first and second supply channels extending in said direction of alignment and being located one above the other in stacked relation; and a mounting system for mounting said transfer plate on the manifold, said mounting system allowing adjustment of the position of the transfer plate and nozzle units thereon relative to the manifold in said direction of alignment, said manifold supply ports remaining in fluid communication with respective supply channels during said adjustment (see col. 4, lines 4 to col. 8, line 14).

Art Unit: 1734

*Allowable Subject Matter*

Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

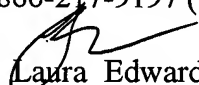
Claims 13-23 would be allowable.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura Edwards whose telephone number is (571) 272-1227. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Laura Edwards  
Primary Examiner  
Art Unit 1734

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September 30, 2005